

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.781 OF 2004

Shaheen Abdul Khalique Ansari ..Petitioner
Vs.

Commissioner of Police Gr.Bombay
& Ors. ..Respondents

Mr.V.S.Rajguru Advocate for Petitioner
Ms.P.H.Kantharia, A.P.P. for the State

....
CORAM : H.L.GOKHALE AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : AUGUST 24,2004

P.C.:

1. Heard Mr.Rajguru with Mrs.Nasreen Ayubi for
petitioner. Ms.Kantharia, A.P.P. appears for
respondents.

2. The petition makes two-fold grievances, the first
is that the F.I.R. was not recorded on the complaint
of the petitioner that her sister Yasmin Shaikh
attempted to murder her by mixing poison with her
medicine i.e. prayer clause (a)(i). That F.I.R.
has already been registered and the above referred
Yasmin Shaikh along with three others have already
been charged under Section 307 read with Section 34
of IPC. That being so, no further direction is
required as far as prayer clause (a)(i) is concerned.

3. The petitioner is keen on second prayer clause i.e. prayer clause (a)(ii). Her grievance is that because of political influence of Yasmin Shaikh, the F.I.R. was not registered at the earliest when it ought to have been registered. The grievance in particular is against one Abdul G.Manar respondent no.4 herein who is Police Sub-Inspector attached to Sir J.J.Marg Police Station, Mumbai. The Officer has filed his affidavit and has denied the allegation. He has stated that he could take action only after the report of C.A. was received and accordingly, that action has been taken.

4. Even so, we are of the view that if the petitioner is having grievance that there was dereliction of duty on the part of the officer of the State, she should get opportunity to ventilate her grievances. She has made grievances to the Police. A citizen should be satisfied that the officers are discharging the duties properly and that confidence must be restored by the highest officers of the Police Department. The petitioner will, therefore, make one more complaint addressing directly to the Director General of Police and Director General of Police will investigate into that complaint and come to an appropriate conclusion as to whether there was any such dereliction of duty on the part of the respondent no.4 Mr.Abdul G.Manar, Sub-Inspector attached to Sir J.J.Marg Police Station, Mumbai. The

petition stands disposed of. We make it clear that whatever we have said in this order, does not mean any reflection one way or the other either in support of the petitioner or in support of respondent no.4.
. Authenticated copies of this order be made available to the parties.

[H.L.GOKHALE,J.]

[SMT.V.K.TAHILRAMANI,J.]